

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILED IN OPEN COURT
ON 4/12/2017 WD
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

NO. 5:16-cr-00007-BO

UNITED STATES OF AMERICA :
 :
 v. :
 :
 MARC ALAN KEARNEY :

ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of the Memorandum of Plea Agreement entered into by the defendant, MARC ALAN KEARNEY, on October 31, 2016, the following property is hereby forfeitable pursuant to 21 U.S.C. § 853, to wit: a Colt Cobra .38 caliber handgun, serial number B70151 and all associated ammunition; and

WHEREAS, by virtue of said Memorandum of Plea Agreement and the defendant's agreement therein, the United States is now entitled to possession of said property pursuant to 21 U.S.C. § 853;

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant, the United States is hereby authorized to seize the above-stated property, and it is hereby forfeited to the United States for disposition in accordance with the law, including destruction, subject to the provisions of 21 U.S.C. § 853(n), as

allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED. This 12 day of April, 2017.

Terrence W. Boyle
TERRENCE W. BOYLE
United States District Judge